

PUBLIC HEALTH DEPARTMENT[641]

Adopted and Filed Emergency

Pursuant to the authority of Iowa Code section 135.11, the Department of Public Health hereby amends Chapter 50, “Oral Health,” Iowa Administrative Code.

In 2008, new Chapter 50, which describes the purpose and responsibilities of the State Dental Director and the Oral Health Bureau, was Adopted and Filed and published in the July 30, 2008, Iowa Administrative Bulletin as **ARC 7023B**, to become effective September 3, 2008. At its meeting held on August 12, 2008, the Administrative Rules Review Committee voted to delay the effective date of these rules for 70 days to allow for additional discussion and review at the Committee’s September 9, 2008, meeting. The Committee imposed the 70-day delay over questions about the possibility of nondental professionals’ performing dental treatment under these rules. Committee members requested that the Department meet with stakeholders and work to resolve these questions.

Following additional review at the Committee’s October 14, 2008, meeting, the Committee voted to impose a legislative session delay on the definition of the term “dental home,” as published in rule 641—50.2(135). The effect of that action was to delay the effective date of the definition of “dental home” until the adjournment of the regular 2009 Session of the General Assembly. The remaining provisions of Chapter 50 (as published in **ARC 7023B**) went into effect on November 12, 2008, upon the expiration of the 70-day delay.

The Department and stakeholders have agreed to a revised definition of “dental home.” In compliance with Iowa Code section 17A.4(3), the Department finds that notice and public participation are unnecessary because the amendment is the result of public participation from the original filing that had been delayed.

The Department also finds, pursuant to Iowa Code section 17A.5(2)“b”(2), that the normal effective date of the amendment should be waived and this amendment should be made effective April 15, 2009, as it confers a benefit on the public to have the agreed-upon definition effective prior to the end of the 2009 Session of the General Assembly when the original definition would become effective.

The State Board of Health adopted this amendment on March 11, 2009.

This amendment will become effective on April 15, 2009.

This amendment is intended to implement Iowa Code sections 135.14 and 135.15.

The following amendment is adopted.

Amend rule **641—50.2(135)**, definition of “Dental home,” as follows:

“*Dental home*” means a network of ~~dental and nondental public and private health care professionals providing individualized care based on risk assessment.~~ Services include, which includes oral health education, dental screenings, preventive services, diagnostic services, treatment services, and emergency services.

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